Argument for Overcoming 103 (e) rejection
Haas et al. PLUS Wiedemer

Haas et al. is not applicable to claim 1 as amended for the following reasons :

As readable on column 5, lines 47-54, Haas et al. merely teach a deterrent as causing by a software, a rightful user's credit card number to be displayed, to discourage a rightful user from sharing the software which being for decrypting a commercial software product, to other people. This deterrent although may be useful, it has a drawback that the rightful user have to make sure no other people is around before he can use the software.

The present invention as claimed by claim 1 as amended is directed to a method for protecting software from unauthorised use. As readable thereon, it requires existence of an identity software as a pre-condition for permitting use of said software desired to be protected on a   processing means ; wherein said identity software being for enabling electronic money transfer operation(s) for which a rightful user of said software desired to be protected has to be responsible . Although not indicated in claim 1 as amended, it is obvious that the identity software is stored in a computer devise and is not in a human visible form and not accessible to any one else except under the permission of the rightful user.

It is respectfully submitted that, it is a essential feature in Haas et al.'s teaching that a rightful user's credit card number has to be displayed, and it is therefore not obvious to one with ordinary skill in the art to modified it by not having the credit card number to be displayed, and to become the present invention as defined by claim 1 as amended.

Further, Wiedemer merely disclose a identity means which being a billing

module, "that leads to a billing charge, but does not disclose the step of not causing an operation for which an authorized user is responsible for", as the Examiner admitted in his office action. It is respectfully submitted that, it is impossible for one with ordinary skill in the art to modify Wiedemer's billing module which most important purpose is to charge a user for usage of software, to not charge the user. And, it would also not be obvious to one with ordinary skill in the art to apply Haas et al. to Wiedemer as the existence of billing operation is already providing a better discouraging effect-it requires actual payment.

-1(dirty)-

1. [Authorising software, stored in a device or physically on a medium, for use on a computer which being made to meet an existing standard such that any software product(s) meeting said standard can be used thereon and without modification thereof ;]

A method for protecting software from unauthorised use , comprising the steps of :

[said authorising software being for, when executed, 1) authorising other software which being protected from unauthorised use, to be used on said computer ; 2] determining the presence of an identity software on said computer ;]

determining the existence of an identity software in association with a processing means under control of a user ;

[said identity software being for use on said computer to, with no effective protection against unauthorised use, provide an identity information of the rightful or authorised user of said authorising software, said identity information being for to be authenticated by a remote computer in order for said remote computer to perform operation(s) for which said rightful or authorised user has to be responsible ; and the presence of said identity software on said computer is being determined without a said operation being performed by said remote computer ;]

[wherein use of said other software on said computer will be authorised if said identity software is determined as being present on said computer ; and said authorising software and said identity software being software meeting said existing standard] ;

using a favourable result of said determination of existence as a pre-condition for providing said user access to said software desired to be protected on said processing means ;

-2(dirty)

[wherein said computer comprises no hardware specific to said rightful or authorised user for directly or indirectly authorising use of said protected software thereon.]

wherein said identity software being for enabling electronic money transfer operation(s) for which a rightful user of said software desired to be protected has to be responsible ;

wherein access to said software desired to be protected is being provided without causing a said operation being performed .

12. [Software, stored in a device or physically on a medium, for use on a computer which being made to meet an existing standard such that any software product(s) meeting said standard can be used thereon and without modification thereof, comprising :]

[Identity software for use on said computer to, with no individual and effective protection, provided by execution of said software, against unauthorised use, provide an identity information of the rightful or authorised user of an authorising software, said identity information being for to be authenticated by a remote computer in order for said remote computer to perform operation(s) for which said rightful or authorised user has to be responsible ;]

[said authorising software being for, when executed, authorising use of other software which being purchased and being protected from unauthorised use, on said computer ;]

[Wherein said identity software and said authorising software are contained in said software in such a manner that said authorising software is prevented from being copied therefrom individually ; and said authorising software and said identity software being software meeting said existing standard ;]

-3(dirty)-

[wherein said computer comprises no hardware specific to said rightful or authorised user for directly or indirectly authorising use of said protected software thereon.]

A method for verifying identity of a user of a data processing apparatus, comprising the steps of :

receiving, by said data processing apparatus, information specific to a user and necessary for accessing an account of said user ;

verifying said account being valid, by an electronic transaction system, by use of said information received by said data processing apparatus;

using by said data processing apparatus, said account validity being verified as a pre-condition for providing user access to at least a part of the functionality of said data processing apparatus ;

wherein said method is being performed without charging said account and said at least a part of functionality being not related to said validity status of said account.